

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

Energy Heating, LLC, an Idaho limited liability company; Rocky Mountain Oilfield Services, LLC, an Idaho limited liability company,

Plaintiff/Counterclaim Defendants,

vs.

Heat On-The-Fly, LLC, a Louisiana limited liability company, and Super Heaters North Dakota, a North Dakota limited liability company,

Defendants,

and

Heat On-The-Fly, LLC, a Louisiana limited liability company,

Counterclaimant.

Heat On-The-Fly, LLC, a Louisiana limited liability company,

Third-Party Plaintiff/Counterclaim Defendant,

vs.

Marathon Oil Corporation and Marathon Oil Company,

Third-Party Defendants/
Counterclaimants.

Civil Case No. 4:13-cv-10

**ORDER ON MOTION FOR
RECONSIDERATION**

Before the court is Plaintiffs' Motion For Reconsideration¹ of the court's March

¹ Doc. #682.

16,2016, order denying awards of exemplary damages and attorney fees.² In support of the motion, Plaintiffs eloquently argue that if “the Court’s refusal to determine this case exceptional and award attorney’s fees remains, HOTF will have been the real winner in these proceedings.”³

Plaintiff’s arguments for reconsideration, although adding some details, largely echo the arguments in their earlier brief in support of the motion for exemplary damages and attorney fees and arguments made by Marathon Defendants in support of an award of attorney fees. The issues raised by Plaintiffs in the motion to reconsider were fully addressed and analyzed by the court in the decision to deny exemplary damages and attorney fees. The motion for reconsideration under rule 59(e) of the Federal Rules of Civil Procedure is **DENIED**.

IT IS SO ORDERED.

Dated this 8th day of April, 2016.

/s/ Ralph R. Erickson
Ralph R. Erickson, Chief Judge
United States District Court

² Doc. #677.

³ Doc. #683, at 11 of 13.